REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-45 are presently active; Claims 1, 9, 25, and 30 have been presently amended. No new matter has been added.[1]

In the outstanding Office Action, Claims 1-6 and 8-45 were rejected as being anticipated by Kubo et al (U.S. Pat. No. 5,828,461). Claim 7 was rejected as being unpatentable over Kubo et al.

Claim 1 as amended defines a print control system having:

> a print dialogue box displayed in response to a print request and configured to at least display print settings for a print job, modify the print settings, and confirm the print settings for the print job, and
> a printing information dialogue box configured to ***automatically*** display, upon a confirmation of the print settings for print job ***in the print dialogue box*** and prior to processing of the print job for printing, a synopsis of the print settings for the print job including at least an indication of a paper selection. [Emphasis added.]

The Office Action associates the claimed print dialogue box with element 113 in Kubo et al and associates the claimed printing information dialogue box with elements 90 and 100. In the previously filed response, Applicant presented arguments as to why those portions of Kubo et al identified in the final Office Action with the claimed print dialogue box and the claimed printing information dialogue box did not anticipate the previously presented claims. Those arguments with regard to the previously cited portions of Kubo et al were not rebutted in the Advisory Action, and are maintained and repeated below for the sake of completeness.

Regarding newly cited teachings in Kubo et al concerning the dialogue box 113, the automatic layout setting operation, and the main menu 90, the Advisory Action

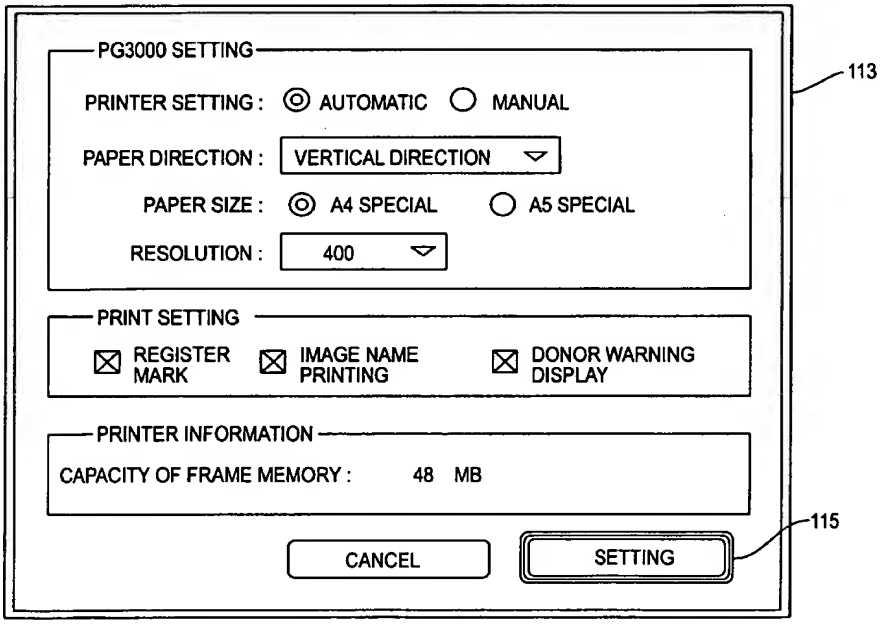
[1] Support for the feature of automatically displaying the print information dialogue box upon confirmation of the print settings in the print dialogue box is found at least on page 2, lines 16-17, and page 4, lines 2-5.

specifically brings to the Applicant's attention the disclosure in Kubo et al at col. 24, line 52, to col. 25, line 23 in which "the dialogue box 113 is displayed prior to an 'automatic layout setting' operation," which is in turn followed by the display of dialogue box 90.

The disclosures relied on in the Advisory Action are reproduced below with embedded figures and emphasis added to make clear this subject matter of Kubo et al. Kubo et al disclose at col. 24, line 52, to col. 25, line 23:

> When setting of the display of ***the dialogue box 113*** and confirmation of contents thereof are made and the click operation of the setting button 115 is effected, the output module ***allows automatic layout setting***.

FIG. 12

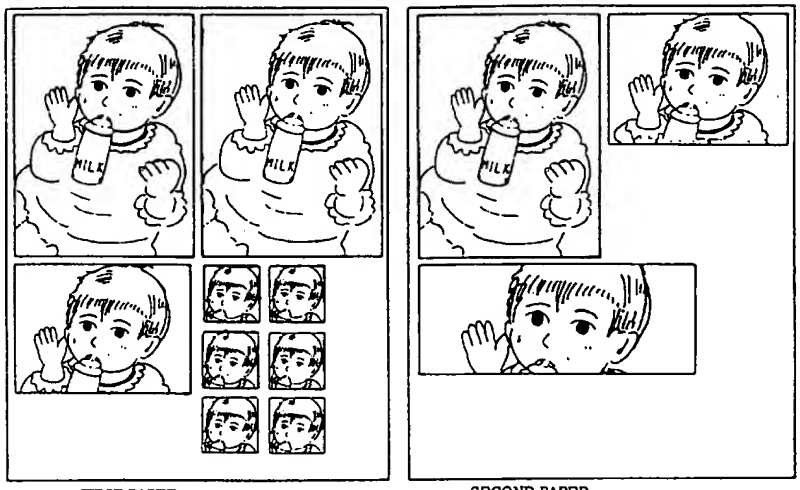


In the automatic layout setting operation, image layout is made s***o that the image data is included in the paper of a size*** which is mounted in the printer 34 on the basis of registered print setting. The ***automatic layer setting operation allows image layout*** in which the size of the paper mounted in the photographic printer 34 ***is changed as occasion demands*** so as to prevent an increase in a space portion on the paper where images are printed.

For example, for one registered print item (i.e., an item on one line from the print size to the number of prints in the print registration display area 91 of the main menu 90), a first print and a second print are prepared separately as occasion demands. Namely, as shown in FIG. 14, when prints of three images

cannot be prepared on the first paper, these prints are necessarily prepared on two papers. At this time, ***images of different sizes*** are disposed on the first and second papers and a space portion formed in each paper is limited to the minimum.

F I G. 1 4



Meanwhile, as shown in FIG. 9B, the operation of the page eject button 96 allows inputting of a page eject mark 117 between the indicating items in the print registration display area 91. The automatic layout setting operation allows layout of images for each of grouped registered items by the page eject mark 117 inputted by the click operation of the page eject button 96.

When the ***automatic layout setting operation is completed***, the main menu 90 shown in FIG. 9A is displayed. When the ***click operation of a print button 116 in the main menu 90*** is effected, ***the image data for printing for which the automatic layout is made is outputted to the photographic printer 34.*** Meanwhile, prior to the image data being outputted to the photographic printer 34, the results of automatic layout may be displayed on the monitor 30 so as to confirm whether the results are proper or not. [Emphasis added.]

Thus, the automatic layout setting operation in Kubo et al intercedes between display of the dialogue box 113 and the main menu 90. Thereafter and presumably upon successful completion of the layout, clicking of the print button on the main menu 90 issues the print job. At most, this embodiment of Kubo et al teaches the display of the main menu 90 automatically after confirmation of the automatic layout setting operation.

With the claims as presently amended defining that the printing information dialogue

box is ***automatically*** displayed upon confirmation of the print job ***in the print dialogue box,*** independent Claims 1, 9, 25, and 30 are not anticipated by this recently applied disclosure of Kubo et al.

Regarding other teachings in Kubo et al concerning element 90, Figure 9A of Kubo et al is reproduced below showing main menu 90:

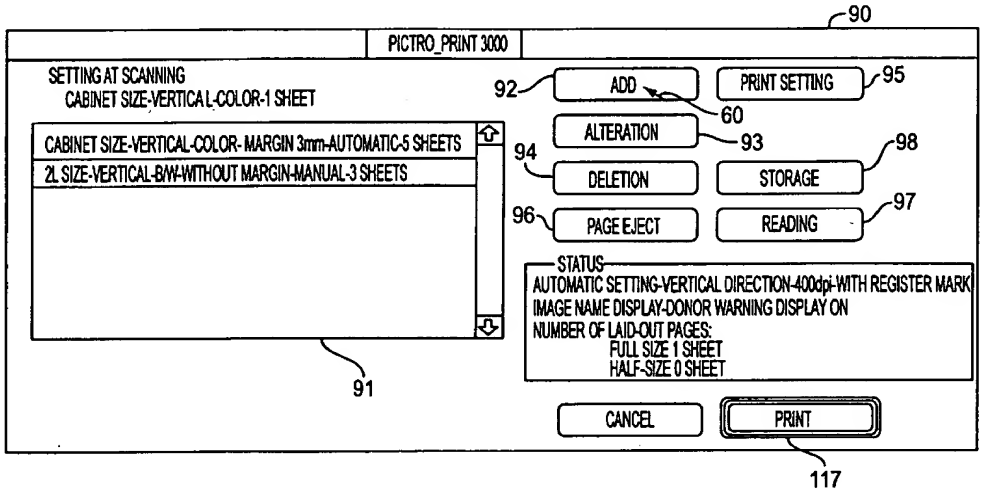


FIG. 9A

Kubo et al disclose at col. 24, lines 18-30, that:

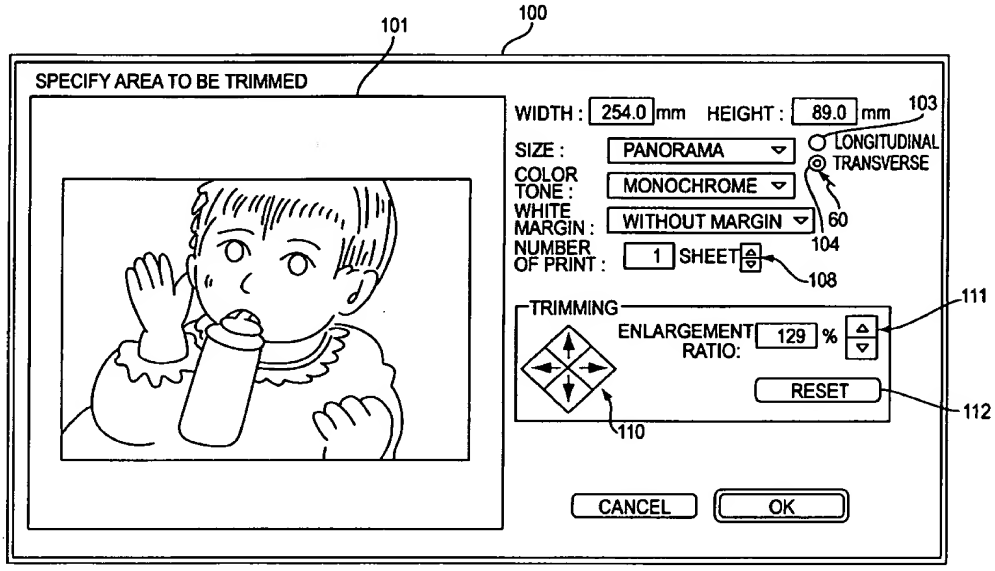
> The click operation of the print setting button 95 in the main menu shown in FIG. 9A allows a common print setting operation for all items displayed in the print registration display area 91. ***When the print setting operation is selected, a dialogue box 113 shown in FIG. 12 is displayed*** on the monitor 30.
>
> The dialogue box 113 allows setting of a printer, a paper feed direction, a paper size, resolution, and the like. At the same time, setting of a register mark (i.e., whether a register mark is printed or not), setting of printing an image-title (i.e., whether an image title is printed on a paper or not), and the like can be performed. [Emphasis added]

Thus, in this embodiment, the dialogue box 113 of Kubo et al is selected after display of main menu 90 to permit a user to set the print setting for a print job. Thus, display of main menu 90 in this embodiment of Kubo et al precedes the display of dialogue box 113. Therefore, main menu 90 of Kubo et al is displayed prior to selection of the print settings, and is not displayed

upon a confirmation of the present settings as would be required for this embodiment of Kubo et al to anticipate the claimed printing information dialogue box.

Regarding other teachings in Kubo et al concerning element 100, Figure 10 of Kubo et al is reproduced below showing dialogue box 100:

FIG. 10



In this embodiment of Kubo et al, dialogue box 100 is presented to the user after the addition button 92 in main menu 100 is selected. Kubo et al disclose at col. 22, line 60, to col. 23, line 8, that:

> The main menu 90 is provided with ***an additional button 92 for adding a print instruction***, an alteration button 93 of a previously registered print instruction (displayed in the print registration display area 91), a deletion button 94, a print setting button 95, a page eject button 96, a read button 97 for reading a stored setting value, a storage button 98 for storing the setting value in a predetermined file, and the like.
>
> Here, ***when the click operation of the additional button is effected,*** a dialogue box 100 for setting trimming shown in FIG. 10 is displayed on the monitor 30. In an output frame 101 of the dialogue box 100, an image corresponding to the image data is displayed as a monochromatic image. Meanwhile, display of a monochromatic image enables rapid processing of images, and a color image may also be displayed.

> Further, the dialogue box 100 allows setting of a print size, color tone, a white border, number of prints, and the like. In the respective indicating sections of these setting, previously stored setting values are displayed. The output frame 101 is displayed in such a manner that a longitudinal direction of a print is fixed at an aspect ratio corresponding to a set print size, and an image is displayed in accordance with a set enlargement ratio. [Emphasis added]

Thus, the dialogue box 100 in this embodiment of Kubo et al is selected after display of main menu 90 to permit a user to set the print setting for a print job. Thus, display of dialogue box 100 of Kubo et al is part of Kubo et al's setting of the print settings for the print job. Therefore, dialogue box 100 of Kubo et al is displayed in order to set the print settings, and is not displayed ***upon a confirmation*** of the present settings as would be required for the dialogue box 100 in this embodiment of Kubo et al to anticipate the claimed printing information dialogue box.

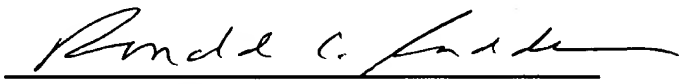
Conclusion: M.P.E.P. § 2131 requires for anticipation that each and every feature of the claimed invention must be shown and requires for anticipation that the identical invention must be shown in as complete detail as is contained in the claim. However, as shown above, elements 90 and 100 of Kubo et al associated in the Office Action with the claimed printing dialogue box are not selected after confirmation of the print settings in almost all of the disclosed embodiments of Kubo et al. In one embodiment of Kubo et al, as noted in the Advisory Action, main menu 90 is displayed after the display of dialogue box 113. However, in this embodiment of Kubo et al, an intervening automatic layout display occurs. At most, this embodiment of Kubo et al teaches an automatic display of the main menu 90 after confirmation of the automatic layout setting operation, not automatically after confirmation of the print job settings in the dialogue box 113, which would be required under the Office's interpretation for this embodiment of Kubo et al to anticipate the presently claimed invention.

Hence, it is respectfully submitted that independent Claims 1, 9, 25, and 30 (and the claims dependent therefrom) patentably define over Kubo et al.

Consequently, in view of the present amendment and in light of the above discussions, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



James J. Kulbaski
Attorney of Record
Registration No. 34,648
Ronald A. Rudder, Ph. D.
Registration No. 45,618

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/03)
JJK:RAR:clh

I:\ATTY\RAR\AMENDMENTS (2006)\52440128\AMENDMENTRCE-TO-OA-10302006.DOC